

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MINNESOTA**

POLARIS INDUSTRIES INC.,)	
a Delaware Corporation,)	
POLARIS SALES INC.)	
a Minnesota Corporation)	No. _____
)	
Plaintiffs,)	
)	
v.)	Jury Trial Demanded
)	
ARCTIC CAT INC.,)	
a Minnesota Corporation, and)	
ARCTIC CAT SALES INC.,)	
a Minnesota Corporation,)	
)	
Defendants.)	

Complaint

This is a complaint for patent infringement. Plaintiffs Polaris Industries Inc. and Polaris Sales Inc. (together, “Polaris”) brings this action against Defendants Arctic Cat Inc. and Arctic Cat Sales Inc. (together, “Defendants”) and state as follows.

Parties

1. Polaris is a leading designer, manufacturer and marketer of recreational vehicles such as snowmobiles, motorcycles and off road vehicles, such as all-terrain vehicles and side-by-side all-terrain vehicles. The first Polaris snowmobile was built more than 50 years ago. Since that time, Polaris has continued to innovate.

2. Plaintiff Polaris Industries Inc. is a Delaware corporation having its principal place of business at 2100 Highway 55, Medina, Minnesota. Plaintiff Polaris

Sales Inc. is a Minnesota corporation having its principal place of business at 2100 Highway 55, Medina, Minnesota. Polaris Sales Inc. is a wholly-owned subsidiary of Polaris Industries Inc.

3. Defendant Arctic Cat Inc. is a Minnesota corporation having a principal place of business at 505 North Highway 169, Suite 1000, Plymouth, Minnesota 55441. Defendant Arctic Cat Sales Inc. is a Minnesota corporation having a principal place of business at 601 Brooks Avenue South, Thief River Falls, MN 56701.

Jurisdiction

4. This action arises under the Patent Act, 35 U.S.C. § 271 *et seq.*

5. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

6. This Court has personal jurisdiction over Defendants. Defendants are residents of Minnesota and maintain offices and transact business within Minnesota

7. Venue is proper in this district under 28 U.S.C. § 1391 and 1400(b). Defendants reside in this district. Upon information and belief, Defendants have committed acts of infringement in this district and have a regular and established place of business in this district.

Count 1

Claim for Patent Infringement of U.S. Patent No. 8,746,719

8. The allegations of paragraphs 1-7 are re-alleged as if fully set forth herein.

9. Polaris Industries Inc. is the owner of United States Patent No. 8,746,719 ('719 patent), which issued on June 10, 2014. Polaris Industries Inc. has owned the '719

patent for the entire period of Defendants' infringement. Polaris Sales Inc. is the exclusive licensee of the '719 patent.

10. Defendants have manufactured, used, sold, offered for sale, and/or imported certain side-by-side all-terrain vehicles—namely, the Wildcat vehicles with 5-link rear suspension—that infringe, literally and/or under the doctrine of equivalents, the '719 patent. Upon information and belief, the infringing products include the Wildcat 4X Limited, Wildcat X Limited, Wildcat X, Wildcat 1000 Limited, Wildcat 1000, Wildcat 4X, Wildcat 4 Limited, and Wildcat 4.

11. Polaris has provided notice in satisfaction of 35 U.S.C. § 287 by at least filing this complaint.

12. Polaris has been damaged by Defendants infringement of the '719 patent and will continue to be damaged in the future unless Defendants are enjoined from infringing the '719 patent.

Prayer for Relief

Polaris respectfully requests the following relief:

- A. A judgment that Defendants have infringed the '719 patent;
- B. A judgment and order requiring Defendants to pay all appropriate damages;
- C. A judgment and order requiring Defendants to pay all costs, including disbursements;
- D. A judgment and order requiring Defendants to pay pre-judgment and post-judgment interest;
- E. A judgment and order requiring Defendants to pay attorney fees, if this case is exceptional as provided by 35 U.S.C. § 285;
- F. Preliminary and permanent injunctions against Defendants and their officers, agents, employees, attorneys, and all persons in active concert or participation with them, prohibiting infringement of the '719 Patent;
- G. Such other and further relief that this Court may deem just and equitable.

Demand for a Jury Trial

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Polaris demands a trial by jury of all issues so triable.

Polaris Industries Inc. *by counsel*

Dated: September 5, 2014

s/Dennis Bremer

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